Gregg M. Galardi, Esq. Dion W. Hayes (VSB No. 34304)
Ian S. Fredericks, Esq. Douglas M. Foley (VSB No. 34304) SKADDEN, ARPS, SLATE, MEAGHER & MCGUIREWOODS LLP FLOM, LLP One Rodney Square PO Box 636 Wilmington, Delaware 19899-0636 (804) 775-1000 (302) 651-3000

Douglas M. Foley (VSB No. 34364) One James Center 901 E. Cary Street Richmond, Virginia 23219

- and -

Chris L. Dickerson, Esq. SKADDEN, ARPS, SLATE, MEAGHER & FLOM, LLP 155 North Wacker Drive Chicago, Illinois 60606 (312) 407-0700

Counsel to the Debtors and Debtors in Possession

> IN THE UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF VIRGINIA RICHMOND DIVISION

- - - - - - - - - x In re: Chapter 11 CIRCUIT CITY STORES, INC., : Case No. 08-35653 (KRH) <u>et</u> <u>al</u>., Debtors. : Jointly Administered - - - - - - - - - x

# ORDER SUSTAINING DEBTORS' SIXTY-NINTH OMNIBUS OBJECTION TO CLAIMS (DISALLOWANCE OF CERTAIN ADMINISTRATIVE CLAIMS)

THIS MATTER having come before the Court on the Debtors' Sixty-Ninth Omnibus Objection to Claims (Disallowance of Certain Administrative Claims) (the "Objection"), 1 which requested, among other things, that the

<sup>&</sup>lt;sup>1</sup> Capitalized terms not otherwise defined herein shall have the meanings ascribed to such terms in the Objection.

claims specifically identified on Exhibit C attached to the Objection be disallowed in their entirety for those reasons set forth in the Objection; and it appearing that due and proper notice and service of the Objection as set forth therein was good and sufficient and that no other further notice or service of the Objection need be given; and it further appearing that one response was timely filed and properly served by Robyn N. Davis ("Davis"), which is resolved by this Order; and it appearing that the relief requested in the Objection is in the best interest of the Debtors, their estates and creditors and other parties in interest; and after due deliberation thereon good and sufficient cause exists for the granting of the relief as set forth herein,

## IT IS HEREBY ORDERED ADJUDGED AND DECREED THAT:

- 1. The Objection is GRANTED.
- 2. The Claims identified on Exhibit A, as attached hereto and incorporated herein, are disallowed in their entirety for all purposes in these bankruptcy cases; provided, further, the disallowance of Davis' Claim No. 14383 is without prejudice to Davis' Claim No. 1756.
- 3. The Debtors' rights to object to any claim, including (without limitation) the Claims included in the

Case 08-35653-KRH Doc 7068 Filed 04/01/10 Entered 04/01/10 10:29:43 Desc Main Document Page 3 of 6

Objection, on any grounds that applicable law permits are not waived and are expressly reserved.

- 4. The Debtors shall serve a copy of this Order on the Claimants included on the exhibit to this Order on or before five (5) business days from the entry of this Order.
- 5. This Court shall retain jurisdiction to hear and determine all matters arising from or relating to this Order.

Dated: Richmond, Virginia

HONORABLE KEVIN R. HUENNEKENS UNITED STATES BANKRUPTCY JUDGE

## WE ASK FOR THIS:

Gregg M. Galardi, Esq.
Ian S. Fredericks, Esq.
SKADDEN, ARPS, SLATE, MEAGHER & FLOM, LLP
One Rodney Square
PO Box 636
Wilmington, Delaware 19899-0636
(302) 651-3000

- and -

Chris L. Dickerson, Esq. SKADDEN, ARPS, SLATE, MEAGHER & FLOM, LLP 155 North Wacker Drive Chicago, Illinois 60606 (312) 407-0700

- and -

/s/ Douglas M. Foley
Dion W. Hayes (VSB No. 34304)
Douglas M. Foley (VSB No. 34364)
MCGUIREWOODS LLP
One James Center
901 E. Cary Street
Richmond, Virginia 23219
(804) 775-1000

Counsel to the Debtors and Debtors in Possession

#### CERTIFICATION OF ENDORSEMENT UNDER LOCAL RULE 9022-1(C)

Pursuant to Local Bankruptcy Rule 9022-1(C), I hereby certify that the foregoing proposed order has been endorsed by or served upon all necessary parties.

/s/ Douglas M. Foley
Douglas M. Foley

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Case 08-35653-KRH Doc 7068 Filed 04/01/10 Entered 04/01/10 10:29:43 Desc Main
In re: Circuit City Stores, Inc, et al. Document Pageo5'6fx6-Ninth Omnibus Objection to Claims (Disallowance Of Case No. 08-35653-KRH

Certain Administrative Claims) - Ordered

## **EXHIBIT A**

CREDITOR'S NAME AND ADDRESS	CLAIM NUMBER	ASSERTED CLAIM AMOUNT *		DATE FILED	DOCKETED DEBTOR
DAVID V LAROSA SR HARRISON COUNTY MISSISSIPPI TAX COLLECTOR C O WILLIAM P WESSLER PO BOX 175 GULFPORT, MS 39502	14312	Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation:	\$27,913.25	06/29/2009	CIRCUIT CITY STORES, INC. (08-35653)
		Total:	\$27,913.25		
DAVIS, ROBYN N 901 JAMERSON LN GLEN ALLEN, VA 23059	14383	Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation:	\$10,950.00	06/30/2009	CIRCUIT CITY STORES, INC. (08-35653)
		Total:	\$10,950.00		
DEASON STEPHEN N 2701 E BRIGSTOCK RD MIDLOTHIAN, VA 23113-3900	14341	Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation:	\$4,392.93	06/30/2009	CIRCUIT CITY STORES, INC. (08-35653)
		Total:	\$4,392.93		
ERICA A JONAS JR 2 ANNETT AVE EDGEWATER, NJ 07020	13664	Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation:	\$152,506.00	06/26/2009	CIRCUIT CITY STORES, INC. (08-35653)
		Total:	\$152,506.00		
JOLY, RUSSELL 5318 WOODSTONE CT LOUISA, VA 23093	13891	Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation:	\$7,404.00	06/29/2009	CIRCUIT CITY STORES, INC. (08-35653)
		Total:	\$7,404.00		

Case 08-35653-KRH Doc 7068 Filed 04/01/10 Entered 04/01/10 10:29:43 Desc Main
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Certain Administrative Claims) - Ordered

## **EXHIBIT A**

CREDITOR'S NAME AND ADDRESS	CLAIM NUMBER	ASSERTED CLAIM AMOUNT *		DATE FILED	DOCKETED DEBTOR
JONAS JR, ERIC A 2 ANNETTE AVE EDGEWATER, NJ 07020	13906	Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation: Total:	\$62,018.15 \$62,018.15	06/26/2009	CIRCUIT CITY STORES, INC. (08-35653)
		Total.	φ02,010.13		
LAMBERT GAFFNEY, LAURIE C O ROBERT A CANFIELD 2201 LIBBIE AVE STE 200 RICHMOND, VA 23230	14026	Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation: Total:	\$25,481.44 \$25,481.44	06/29/2009	CIRCUIT CITY STORES, INC. (08-35653)
		rotai.	\$20,401. <del>11</del>		
ROBERT L KIRKNER 17 PINE DR CHESTER SPRINGS, PA 19425	13249	Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation: Total:	UNL	06/05/2009	CIRCUIT CITY STORES, INC. (08-35653)
THE GREENVILLE NEWS MENA HANLIN CCC CREDIT COLLECTIONS SUPERVISOR 7950 JONES BRANCH DR MCLEAN, VA 22107	13333	Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation:	\$34,205.90 \$34,205.90	06/12/2009	CIRCUIT CITY STORES, INC. (08-35653)

Total: 9 \$324,871.67